

TEXAS DEPARTMENT OF PUBLIC SAFETY

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CRIME LABORATORY SERVICE CASE ACCEPTANCE AND ANALYSIS POLICY GUNSHOT PRIMER RESIDUE TESTING

Analysis for gunshot primer residue is performed on **SEM stubs only**. Effective April 1, 2010, only two stub GSR kits will be accepted for analysis.

Gunshot residue kits will only be accepted with the accompanying **GSR Kit Information Form (LAB-17) completely filled out**.

The submitting officer will be notified if the information provided in a GSR case is insufficient for the analysis to be performed. After this notification, the officer will have 30 days to respond and provide the needed information or the case will be closed without analysis. It is requested that a copy of the GSR Kit Information Form be attached to the laboratory submission form outside of the evidence packaging.

Please note that the DPS Laboratory will only process GSR kits in cases involving crimes against persons such as homicide, attempted homicide, aggravated assault, and questioned death/death investigation cases. Cases such as discharge of a firearm in certain municipalities, robbery, and possession will generally be returned without analysis. Please provide a scenario with your submission so that we can determine which category the case should be assigned to. If no scenario is provided, this determination will be based on the listed offense on the Laboratory Submission form (LAB-6).

It is DPS Laboratory policy to not perform analysis for gunshot primer residue on samples from **shooting victims**. The strength of a GSR test is to associate an individual with a firearm discharge who has not already otherwise been so associated. A shooting victim clearly has been associated with a firearm discharge, and the results of a GSR test usually cannot offer any more information than what is already known. Since more gunshot primer residue escapes from the barrel than from near the handle, the majority of both homicide and suicide victims have gunshot primer residue on their hands. Conversely, a small percentage of both homicide and suicide victims have no gunshot primer residue on their hands. Therefore, neither the presence nor the absence of gunshot primer residue on a victim's hands would provide definitive interpretation of either homicide or suicide.

It is DPS Laboratory policy to not perform analysis for gunshot primer residue if the samples were collected **more than four hours after the shooting**. Any gunshot primer residue deposited on a living person as a result of the shooting will be reduced by normal activity so that after four hours, no meaningful conclusion can be obtained from the analysis of the samples. Additionally, GSR samples should be taken before the subject's hands are bagged or before the subject is placed into a police vehicle.

Cases normally declined under the above conditions may be analyzed if the particulars of the case warrant the analysis. In these cases, the laboratory will require the request in writing from the prosecutor or by court order. The laboratory report will still specify laboratory policy where applicable, and state that the analysis was performed at the written request of the requestor. Results will be reported as inconclusive in these cases.

The DPS Laboratory is currently no longer running inanimate objects for GSR. This includes clothing, vehicles, bedding, and other items. **Clothing from shooting suspects** can be submitted to the laboratory for GSR processing especially if it is to be analyzed by DNA or other laboratory sections. The resulting GSR stubs, however, will be returned without analysis. Clothing should only be submitted if there is a reasonable association to the suspect and to the offense. Documentation must be provided with the clothing explaining why GSR analysis is requested on the particular item. In these cases, an explanation of the scenario is often helpful. Due to the nature of GSR sampling, the entire surface of the clothing is not sampled. Clothing will be sampled in areas where the presence of gunshot primer residue would yield a stronger indication of the individual having fired or carried a weapon, and will be at the discretion of the analyst.

Please do not store or package GSR evidence (or other trace evidence items) in paper composed of recycled material. This type of paper can contain particles of paint, other debris, and heavy metals that can interfere with and prolong our analysis. Regular packaging material such as boxes and paper bags are suitable and are not of concern.

Instant Shooter Identification (ISId) Kits will be returned without analysis. Our laboratory has not validated the Instant Shooter Identification Kit or a method of analysis for it.

Atomic Absorption (AA) Kits will be returned without analysis. Our laboratory no longer has the proper instrumentation to analyze AA kits.

Gunshot primer residue analysis does not give an indication of the distance from which a firearm is fired (i.e., **Distance Determination**). Refer to PEH-02-09, Firearms and Toolmarks Evidence Collection for the information and evidence required to determine an approximate distance between clothing and a fired weapon.

APPROVED
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